REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-18 are pending in this application. Claims 1 and 10-18, which are independent, are hereby amended. Support for this amendment is provided throughout the Specification as originally filed, specifically at pages22, lines 25-28. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 10-16 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Publication No. US 2002/0109859 to Tipimeni (hereinafter, merely "Tipimeni").

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III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-4, 6, 7 and 9 were rejected under 35 U.S.C. §103(a) as allegedly unpatenable over Tipimeni.

Claims 5, 8 and 18 were rejected under 35 U.S.C. §103(a) as allegedly unpatenable over Tipimeni in view of U.S. Patent No. 6,801,340 to Endo (hereinafter, merely "Endo").

Claim 17 was rejected under 35 U.S.C. §103(a) as being allegedly unpatenable over Tipimeni in view of U.S. Patent No. 5,987,345 Engelmann et al. (hereinafter, merely "Engelmann").

IV. RESPONSE TO REJECTIONS

Claim 1, as amended, recites, *inter alia*:

> "...a retrieval result displaying function portion
> displaying a view of simplified image data of image
> data ...
>
> wherein the simplified image data is a function of
> capabilities of the client terminal." (emphasis
> added)

As understood by Applicants, Tipimeni relates to a digital camera containing patient images is connected to an uploader computer and the patient's name or history is entered into the uploader computer. The uploader computer then connects to the Internet, connects to the secure host server, uploads the images to the host server and shuts down the Internet connection. After the physician selects a medical facility and the system verifies the physician's user I.D. and password, the host server constructs an HTML web page which includes a list of patients whose images were previously uploaded by the medical facility and are available for viewing.

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As understood by Applicants, Endo relates to a document transmission apparatus that reduces labor of an operator when transmitting document data, inputted from a scanner or the like, by various transmission methods such as electronic mail, facsimile, remote printing and file transfer. An address book containing a receiver and a plurality of transmission methods for transmitting document data to the receiver is generated. Upon transmission instruction, an appropriate transmission method is selected by the receiver, then document data is converted into data of an appropriate data format, and the converted data is transmitted.

As understood by Applicants, Engelmann relates to a method and system for displaying medical images and computer output from various CAD schemes on the images. Images are loaded into the display system and displayed in a main viewing area. The system can display various CAD schemes, such as the automated detection of lung nodules, interstitial infiltrates, and heart size, in the case of a chest image, on the image. The method and system also display interval change (temporal subtraction) between images. Individual abnormality from CAD schemes can be viewed by clicking buttons with minified (postage stamp size) images with CAD annotation rendered into them.

Applicants submit that nothing has been found in Tipimeni, Endo or Engelmann, taken alone or in combination that would disclose or suggest the above-identified features of claim 1. Indeed, the Office Action concedes that Tipimeni does not directly teach displaying a view of simplified image data on the screen of the client terminal for confirmation of contents of image data to be delivered. Applicants agree and further submit that neither Tipimeni nor the other art used as a basis of rejection disclose simplified image data is a function of capabilities of the client terminal, as recited in claim 1.

Therefore, amended independent claim 1 is believed to be patentable.

Independent claims 10-18 recite similar features and are patentable for similar

reasons.

V. DEPENDENT CLAIMS

The other claims in this application are dependent from one of the amended

independent claims discussed above and are therefore believed patentable for at least the same

reasons. Since each dependent claim is also deemed to define an additional aspect of the

invention, however, the individual reconsideration of the patentability of each on its own merits

is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above

with respect to the disclosures in the cited reference, or references, it is respectfully requested

that the Examiner specifically indicate the portion, or portions, of the reference, or references,

providing the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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